

REMARKS

Applicant respectfully requests reconsideration of the prior art rejections set forth by the Examiner under 35 US C-sections 102 and 103. Applicant respectfully submits that the prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicant's presently claimed invention. More specifically, Applicant's claimed invention is directed to an improved electronic bidding system wherein vendor capabilities are automatically compared with job requirements for the purpose of automatically selectively identifying only those vendors who are qualified as having the appropriate capabilities for performing a specified job. Applicant submits that the prior art references of record, whether considered alone, or in combination, fail to either teach or suggest Applicants presently claimed invention.

Claims 16, the only claim currently pending in the application, currently stands rejected under 35 U.S.C. § 102 (b) as being anticipated by the Brodsky United States patent number 6,751,597. Applicant notes, however, this reference does not even qualify as prior art and accordingly the rejection must fail. More specifically, Applicant notes that the instant application, serial number 10/058,490 is a continuation application of application serial number 09/383,371 now United States patent number 6,397,197 which was filed on August 26, 1999. Furthermore, this application claims priority to provisional application serial number 60/097,972 filed August 26, 1998. Each of these earlier priority dates for which a

Appl. No. 10/ 058,490
Amdt. Dated June 21, 2005
Reply to Office Action of December 21, 2004

claim for priority has been made predate the earliest effective filing date of the Brodsky reference. Accordingly, Applicant requests that the Examiner withdraw these rejections.

Applicant also calls to the attention of the examiner co-pending application serial number 09/450, 023 which is currently pending in the office before examiner Felten under the supervision of examiner Millen. Applicants submits that all claims stand in condition for allowance.

Date:

6/21/05   (Reg. #37,607)

Robert J. Depke
**TREXLER, BUSHNELL, GIANGIORGI
BLACKSTONE & MARR, LTD.**
105 W. Adams Street, 36th Floor
Chicago, Illinois 60603
Tel: (312) 704-1890
Attorney for Applicants

Appl. No. 10/ 058,490
Amdt. Dated June 21, 2005
Reply to Office Action of December 21, 2004



CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States
Postal Service as First Class Mail on 6/21/05 in an envelope addressed to:

**Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

A large, stylized handwritten signature in black ink, written over a horizontal line.
Attorney for Applicants